## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

MELODY JOY CANTU and	§	
DR. RODRIGO CANTU,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	SA-20-CV-746-JKP (HJB)
	§	
DR. SANDRA GUERRA and	§	
DIGITAL FORENSICS CORPORATION,	§	
	§	
Defendants.	§	

## **SCHEDULING ORDER**

Consistent with the parties' Proposed Scheduling Recommendations (Docket Entry 26-2), and the Telephonic Initial Pretrial Conference held on today's date, the disposition of this case will be controlled by the following order. In accordance with Fed. R. Civ. P. 6(a), if a deadline set in this order falls on a weekend or a holiday, the effective day will be the next business day.

- 1. Unless exempted from initial disclosures through Federal Rule of Civil Procedure 26(a)(1)(B), all parties that have appeared in this action shall make their required Rule 26(a)(1) disclosures on or before **December 1, 2020**. To the extent a defendant knows the identity of a responsible third party contemplated by Texas Civil Practices & Remedies Code § 33.004, such identity is subject to disclosure under Rule 26(a)(1)(A)(i).
- 2. The parties shall file a report on alternative dispute resolution in compliance with Local Rule CV-88(b) on or before **February 15, 2021**.
- 3. Parties asserting claims for relief shall submit a written offer of settlement to opposing parties on or before February 15, 2021, and each opposing party shall respond, in writing on or before March 1, 2021. All offers of settlement are to be private, not filed. The parties are ordered to retain the written offers of settlement and response as the Court will use these in assessing attorneys' fees and costs at the conclusion of the proceedings. If a settlement is reached, the parties should immediately notify the Court so the case may be closed.
- 4. On or before March 17, 2021, the parties shall file any motion seeking leave to amend pleadings or join parties.

- 5. Parties asserting claims for relief shall file their designation of testifying experts and serve on all parties, but not file, the materials required by Federal Rule of Civil Procedure 26(a)(2)(B) on or before **February 17, 2021**.
- 6. Parties resisting claims for relief shall file their designation of testifying experts and serve on all parties, but not file, the materials required by Federal Rule of Civil Procedure 26(a)(2)(B) on or before April 2, 2021.
- 7. Parties shall file all designations of rebuttal experts and serve on all parties the material required by Federal Rule of Civil Procedure 26(a)(2)(B) for such rebuttal experts, to the extent not already served, within fourteen days of receipt of the report of the opposing expert.
- 8. Parties shall initiate all discovery procedures in time to complete discovery on or before May 17, 2021.
- 9. Counsel shall confer and file a joint report setting forth the status of settlement negotiations on or before May 31, 2021.
- 10. All dispositive motions must be filed by **June 16**, **2021**. Dispositive motions, and responses to dispositive motions, must be limited to 20 pages in length which is the standard page limit for this Court. (*See* WDTX, SA Div., Local Rule CV-7(h).)
- 11. The District Court will set dates for trial and the final pretrial conference after receiving and reviewing filed dispositive motions or after the deadline for such motions passes without a pertinent filing. At that time, it will likewise set appropriate deadlines for trial and pretrial conference matters.

It is so **ORDERED**.

SIGNED on November 17, 2020.

Henry J. Bemporad

United States Magistrate Judge